

Interview Summary

Application No.

09/451,641

Examiner

Susan Tran

Applicant(s)

GAO ET AL.

Art Unit

1615

All participants (applicant, applicant's representative, PTO personnel):

(1) Susan Tran

(3) _____

(2) James C. Forbes

(4) _____

Date of Interview: 10 December 2002

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No

If Yes, brief description: _____

Claim(s) discussed: of record

Identification of prior art discussed: of record

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

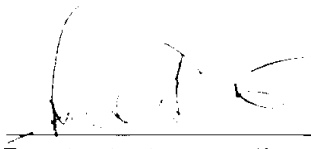
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's attorney pointed out that Black et al. do not teach the claimed celecoxib compound, but a different compound for the same utility. Furthermore, Black et al. do not teach the particle size and the relative bioavailability of not less than 50%.

The examiner pointed out that although Black is silent as to the specific celecoxib compound, it would have been obvious to one of ordinary skill in the art to, by routine experimentation to select celecoxib with the expectation of at least similar result, because Black teaches the derivative of celecoxib for the same treatment and in the same dosage form. Therefore the relative bioavailability is inherent.

It was suggested to submit data showing unexpected result of the claimed compound with the claimed particle size over the cited prior art. The patentability will be determined after carefully review Black et al. and applicant's remarks. The examiner will contact the applicant's attorney for suggestion to put the application in condition for allowance.